

## DEFINITIONS

**ABANDONED APPLICATION NOTICE OF ABANDONMENT**: An application for which the applicant has decided not to further prosecute the application or has failed to correct a defect within the time allowed. An official notice of abandonment is mailed after failure to respond to the office action including available extensions of time.

**ABSTRACT**: A short narrative summary of the technical disclosure of a patent. An abstract is required for publication of a utility application. An English-language abstract usually is attached to the front of a foreign patent.

**ALIEN PROPERTY CUSTODIAN PUBLICATION (APC)**: An application vested in the Alien Property Custodian during World War II which was published in 1943 even though it did not become a patent. Such a document is identified by the words "Alien Property Custodian" and is considered to be non-patent literature.

**ARTIFACT**: A non-paper part of an application file such as computer media.

**ARTIFACT FILE**: A physical folder that contains an Artifact or paper documents that are not scanned into IFW or SCORE or that have multiple copies. The Artifact File is part of an IFW application.

**APPLICATION FILE (File Wrapper)**: A paper file wrapper is a colored legal-size folder containing official papers and artifacts designated for that application. An image file wrapper contains all of the documents in image form where possible and also content in SCORE and/or an Artifact File where necessary. The paper file wrapper or the image file wrapper contains all documents relative to the examination/prosecution of the application.

**Design application** - An application for an invention of a new, original and ornamental design for an article of manufacture. The last used file wrapper for a design application is lavender in color and the current serial number series begins with 29. Design applications filed on or after about 6/23/03 are in the IFW system.

**Utility application** - An application for an invention for any new and useful improvement of a process, machine manufacture, or composition of matter. The paper file wrapper for a utility application is green for series 08, yellow for series .09, and beige for series 10. The series is the first two digits of the 8-digit application or serial number. All applications in the 11 series and above are in IFW.

**Provisional application** - A written document which consists of a specification, drawings (if applicable) and the fee required by law. A provisional application is not examined and is considered abandoned 12 months after the filing date. The file wrapper for a paper provisional application is blue and white and the serial number series begins with 60. Provisional applications filed on or after about 6/23/03 are in the IFW system. The current series code is 61.

**Reissue application** - An application for a patent to take the place of an unexpired patent that is defective in one or more particulars. The last uses color for a paper file wrapper for a reissue application is white with orange stripes. A reissue application uses the same label type and serial number series as the application type that was granted a parent. Reissue applications filed on or after about 6/23/03 are in the IFW system.

**Plant application** - An application for a patent for the invention or discovery and asexual reproduction of any distinct and new variety of plant. A plant application uses the same file wrapper and serial number series as a utility application. Plant applications filed on or after about 6/23/03 are in the IFW system.

**ART UNIT**: A division within a Technology Center. Also called Group Art Unit (GAU). (See Examining Corp.)

**AUTOMATED BIOTECHNOLOGY SEQUENCE SEARCH (ABSS)**: Automated system used by patent examiners to search biotechnology sequences. The computer readable form of sequence listing that are filed in patent applications are loaded into SCORE and ABSS.

**BIBLIOGRAPHIC DATA**: Information related to a patent application that includes the inventor name, address, and citizenship; attorney's name, address, and phone number; assignee's name, address and phone number; title of the invention; related application data; and filing date. This data is entered into PALM PreExam and/or EXPO and is used in the mailing of office actions and printed on the first page of the application publication and the issuing patent.

**CERTIFICATE OF CORRECTION (CofC)**: A certificate issued by the PTO as a result of a mistake in a patent. A printed copy of the certificate is attached to the patent copy(s) and is considered part of the original patent.

**CLAIM(s)**: Statement(s) at the end of the specification of a patent application that particularly points out the distinctly claimed subject matter which the applicant regards as his/her invention.

**CLASS**: A major grouping of subject matter or functional categories designated by a numeric code and a title. There are over 460 classes, each of which is further divided into over 150,000 subclasses

**CLASSIFICATION**: (1) The science of systematically arranging the prior art documents (e.g., U.S. patents, foreign patents, and non-patent literature) into a system of numerical categories called classes and subclasses in such a manner as to facilitate the search for and retrieval of specific technical information disclosed in the prior art documents; (2) the class and subclass assigned to a document.

**COMPUTER READABLE FORM (CRE)**: A text file submitted by applicant using EFS-Web or on computer media such as a CD that is loaded in SCORE and ABSS to allow the examiner to conduct an automated biotechnology sequence search. If submitted by EFS-Web, the text file may be both the CRF and the Sequence Listing.

**CONTRACTING OFFICER'S TECHNICAL REPRESENTATIVE (COTR)**: The individual within the PTO responsible for the technical aspects of the contract and technical liaison with the Contractor. The COTR also is responsible for the final inspection and acceptance of all the work required under the contract.

**COUNT MONDAY**: Commonly used term which refers to the Monday following the end of a bi-week. "Count Monday" is the last day on which intonation can be entered into PALM to give an examiner credit for work performed during the previous bi-week.

**CONTINUED PROSECUTION APPLICATION (CPA)**: A continuation is a second application for the same invention claimed in a prior non-provisional application and filed before the original application becomes abandoned or patented. The applicant in the continuation application must include at least one inventor named in the prior nonprovisional application. A CPA does not receive a new application file or file number. CPAs were once permitted in utility and plant applications but are now only permitted in design applications.

**CYCLE TIME**: The amount of time between the filing of an application and the disposal of the application when the processing time is charged to the PTO.

**DEFENSIVE PUBLICATION**: An abstract of a patent application published by the PTO and placed in the Search Files as prior art. The person holding the pending patent application must first file a written waiver of his/her rights to a patent and open the patent application to inspection by the public, thereby making the entire application part of the prior art. The intent of a Defensive Publication is to preclude anyone from subsequently patenting the subject matter of the application. These documents have been given a separate series of number preceded by "T;" e.g., T123, 456. Defensive Publications were replaced by SIR documents in 1986.

**DEPOSIT ACCOUNT**: Account used by patent practitioners to authorize payment of fees. The majority of patent application fees are paid using a deposit account.

**DESIGN APPLICATION**: See Application File

**DISPOSAL**: Equivalent to an allowance, abandonment, examiner's answer, international preliminary examination report, SIR disposal after first action on merit, or interference when application is in condition for allowance except for interference. At the PTO office level, refers only to an allowance or abandonment.

**ELECTRONIC DESKTOP APPLICATION NAVIGATOR (eDAN)**: The user interface primarily used by patent examiners to access image applications in the Image File Wrapper (IFW) system

**ELECTRONIC FILING SYSTEM (EFS)**: The system that allows patent applicants to submit new patent applications and follow-on documents electronically. The current system is called EFS-Web. Applicants submit most application parts as PDF documents and a small set as text files. The PDF files are converted to images and loaded into IFW. PDF files of drawings for design applications and color and gray scale drawings for non-provisional applications are loaded into SCORE. Applicants can authorize fee payments that are posted in RAM. Some bibliographic data is automatically loaded into PALM.

**EUROPEAN PATENT OFFICE (EPO)**: The Trilateral Co-operation was set up in 1983 between the European Patent Office (EPO), the Japan Patent Office (JPO), and the United States Patent and Trademark Office (USPTO). The majority of all patent applications filed worldwide, including PCT applications are processed by the Trilateral Offices.

**EXAMINER** (Patent Examiner): An individual whose function is to examine U.S. patent applications to determine patentability based on a review of the prior art.

**EXAMINING CORPS:** The organization within the PTO, which is charged with the examination of patent applications. The Corps is organized into eight Technology Centers, each responsible for like technologies. Each Technology Center further divides into multiple Work Groups consisting of several Art Units. A Technology Center is managed by several Group Directors; each Art Unit is headed by a Supervisory Patent Examiner (SPE). Each Technology Center also includes a Technical Support Staff (TSS) headed by Supervisory Legal Instrument Examiners (SLIE).

**EXAMINER SEARCH FILE (ESF):** A paper set of the classified file of foreign patent documents and non-patent literature which is designated for use by the patent examining groups. The ESF may also be referred to as the "Examiner Set."

**FLAT WORK:** Commonly used term in mail processing which refers to mail received in large envelopes other than US Post Office to Address Express Mail. Express Mail is commonly used for new applications because of special rules for new applications filed by Express Mail. Flat work rarely contains new applications but usually contains application-related documents (follow-on) which are submitted subsequent to the filing of an application.

**FOREIGN PATENTS:** Patents and published patent applications printed by foreign countries. Copies of these documents are located in the Examiner Search File only and are used as reference material by the patent examiners and the Public. Most of the foreign language documents have an English-language abstract attached to them.

**GOVERNMENT REPRESENTATIVE:** An individual appointed by the Government to serve as a representative for the Government in the administration of the contract.

**HOUSEKEEPING:** Any physical maintenance of the facilities such as re-labeling racks, mini-expansions of search files, compressing files in central files, etc.

**IMAGE FILE WRAPPER (IFW):** (1) The automated systems that stores and maintains images of patent applications and related documents. (2) An application file wrapper comprising the images in the IFW system, files in SCORE, and items in the Artifact Folders. The IFW application designation is recorded and maintained in the PALM system. The official patent application file is either the physical application file wrapper or the image file wrapper. All US applications filed on or after about 6/23/2003 are IFW applications and the majority of applications that were pending on that date have been converted to IFW applications. All PCT applications filed in 2007 and later are IFW applications.

**IN HOUSE:** A term used to describe those functions or activities, which are performed within the PTO by Government employees.

**INTERFERENCE FILE:** Copies of prints, drawings, and/or claims from pending applications, which are maintained in classification order in file cabinets or other containers in the Tech Centers or other file areas. Prior to preparing an application for issue, an examiner reviews pertinent documents contained in the interference file.

**INTERNATIONAL PATENT CLASSIFICATION (IPC)**: A subject matter classification system similar to that of the U. S. which is used by many foreign countries and sometimes used in the Examiner Search File for filing foreign patent documents.

**MADRAS**: The acronym for the user interface in the Image File Wrapper System.

**MANUAL OF CLASSIFICATION (Class Manual)**: The document (paper or electronic) containing the classification schedules which list the number and descriptive titles of the more than 460 classes and 150,000 subclasses used in the subject classification of patents.

**MASTER CLASSIFICATION FILE (MCF)**: The automated data base which contains each U.S. patent number and its corresponding classification(s).

**OATH**: Statement that applicant or applicants believes himself or herself to be the original and first inventor for which he/she solicits a patent. The oath lists all inventors.

**OFFICE ACTION**: Any official communication from the Patent Office to patent applicants or their representatives.

**OFFICE OF DATA MANAGEMENT (ODM)**: Office with responsibility for publication of pending patent applications, publishing patent grants, and certificates of correction. May be called Publications or Pubs.

**OFFICE OF PATENT APPLICATION PROCESSING (OPAP)**: Office responsible for pre-examination processing of US and PCT applications. May be called OIPE or PCT-ops.

**PAPER FILE WRAPPER**: See Application File

**PATENT APPLICATION CAPTURE AND REVIEW SYSTEM (PACR)**: The PTO system used from 1998 to June 2003, to capture and store images of patent applications as filed and select follow-on documents. P ACR was originally called the Patent Image Capture System (PICS) from 1998 to 2000. Nearly all PACR images were migrated to the Image File Wrapper (IFW) database in June 2003, when PACR was terminated.

**PATENT APPLICATION LOCATING AND MONITORING (PALM)**: Automated system which maintains a record of each patent application (e.g., status, whether electronic or paper, examiner of record, etc.). PALM transactions (e.g., changing location, printing information) normally are performed by "wandering" (i.e., optically scanning) a bar code printed on an application file and/or keying in data. PALM is available using a PC connected to PTO's Network. PALM is comprised of two subsystems, Pre-Exam and EXPO. PALM Pre-Exam is primarily used in the pre-examination phase of prosecution and bibliographic data maintenance of applications. PALM EXPO is primarily used in the examination and publication phases of application prosecution.

**PATENT APPLICATION SECURITY AND SERVICES (PASS)**: Automated system used to classify and security screen patent applications and to bundle application images into electronic files for data transfer.

**PAPER MATCHING:** Taking incoming papers (faxes and mail), locating the related paper application files, placing the papers in the related application files and delivering them to the appropriate location for further processing

**PATENT:** A grant of certain rights to an individual inventor (s) by the Government acting through the PTO. The subject matter of the patent is an invention. The right conferred by the patent grant is for a limited time period and allows the patent owner to exclude others from making, using, or selling the invention in this country. There are several types of patents:

**DESIGN:** Patents for ornamental designs which are issued under a separate series of numbers preceded by "D;" e.g., D140,000.

**PLANT:** Patents for asexually reproduced varieties of plants which are issued under a separate series of numbers preceded by "PP;" e.g., PP13.

**REISSUE:** Patents, which correct errors in a previously granted parent patent. Reissue patents do not extend the period of patent coverage since they expire when the previously granted patent expires. Reissues are issued under a separate series of numbers preceded by "RE;" e.g., RE229, 106.

**X-SERIES:** These are the approximately 10,000 patents issued between 1790 and July 1836. They were not originally numbered but have been assigned numbers in the sequence in which they were issued.

**UTILITY:** The mechanical, electrical, and chemical patents granted since 1836. This series comprises the bulk of all U.S. patents. Utility patents are issued under a series of numbers now including seven digits; e.g., 6,517,367.

**AI. SERIES:** Patents issued from 1838 to 1861 covering an inventor's improvement on his/her own patented device. These patents were given a separate series of numbers preceded by "AI." to indicate Additional Improvement; e.g., AI.113. Approximately 300 such patents were issued.

**PATENT IMAGE CAPTURE SYSTEM (PICS):** See Patent Application Capture and Review System (PACR).

**PCT:** Patent Cooperation Treaty. Also refers to an organization within the PTO.

**PCT OPERATIONS WORKFLOW AND ELECTRONIC REVIEW (POWER) SYSTEM:** The automated system which enables electronic processing of new international applications on the PC desktop.

**PORTABLE DOCUMENT FORMAT (PDF):** An open standard for document exchange that is used by applicants to submit document for patent applications using EFS-Web. See Electronic Filing System.

**PRIOR ART**: The collection of U. S. patents, foreign patents, and non-patent literature, which constitutes the documents disclosing technical information, which are reviewed during the patent application examination process.

**PROVISIONAL APPLICATION**: See Application File.

**PTO**: An acronym, which refers to the Patent and Trademark Office, an agency within the Department of Commerce.

**PTO-666 (Shoe Label)**: A PTO standard form which is used on each shoe in the Examiner Search File to identify the document type, class/subclass, and patent number range of patent documents filed within the shoe.

**REEXAMINATION**: An examination of a previously issued patent in view of prior art patents or printed publications which results in confirmation or cancellation of one or more patent claims.

**REFERENCE COPY**: Any document (e.g., foreign patent) that is included in the mailing with an office action.

**REISSUE APPLICATION**: See Application File

**REQUEST FOR CONTINUED EXAMINATION (RCE)**: A request by the applicant to continue examination of an application that is usually filed after the Notice of Final Rejection or after the Notice of Allowance.

**RESPONSIVE PAPER**: Any amendment filed by the applicant that changes the content of the application or any request by applicant for reconsideration of the examiner's position.

**REVENUE ACCOUNTING and MANAGEMENT SYSTEM (RAM)**: Internal **PTO** system which provides the automated support and controls for processing all fees collected for products and services provided by the PTO. Along with other pertinent data, every fee collected by the **PTO** is entered into the RAM system.

**SEQUENCE LISTING**: A series of codes that represent a biotechnology sequence. If submitted in paper or as a PDF in EFS-Web, the sequence listing is loaded into IFW. The computer readable form of the sequence listing is loaded into SCORE and ABBS to allow the examiner to conduct an automated biotechnology sequence search. If submitted by EFS-Web as a text file, the text file is both the CRF and the Sequence Listing.

**SERIAL NUMBER**: Sequential number assigned to each application by the **PTO** for identification purposes. Also commonly called application number. See Application File

**SHOECASE/SHOE**: A shoecase is an upright, doorless, cabinet holding removable storage drawers in which documents maintained in the Examiner Search File are kept. Shoecases typically come in two- or three-column widths and are composed of sections usually stacked three high. These removable drawers are called shoes, each of which can hold a few inches of prior art documents. Each shoe is individually labeled to indicate the classification and patent number range of documents contained within that shoe.

**STATUTORY INVENTION REGISTRATION DOCUMENTS (SIR)**: SIR documents are published without the formal examination required for a utility patent. A SIR document is designated by a registration number preceded by the letter “H”. These documents replaced Defensive Publications in 1986.

**STAFF DAY**: The unit of measurement used to determine the volume of work to be completed in 1 workday by 1 employee

**SUBCLASS**: The smallest segment breakdown of the PTO's official numeric subject matter classification system.

**SUPERVISORY LEGAL INSTRUMENT EXAMINER (SLIE)**: A support staff supervisor in a Patent Examining Group responsible for all activities and work output of the support staff within an Examining Group.

**SUPERVISORY PATENT EXAMINER (SPE)**: A patent examiner assigned supervisory and training responsibility for an Art Unit of patent examiners. This individual is assigned responsibility for on-the-job training of new patent examiners and for monitoring the patent examination process and the productivity level of the Art Unit.

**SUPPLEMENTAL COMPLEX REPOSITORY FOR EXAMINERS (SCORE)**: Automated system that stores electronic files containing parts of the IFW application that may not be in the IFW system or an Artifact Folder. Most drawings for design application and color and gray scale drawings for non-provisional applications are stored in SCORE and a black and white copy in IFW. SCORE also stores text files of tables, computer program listings and sequence listings.

**TECHNOLOGY CENTER**: Also called Tech Center or TC. See Examining Corp.

**UTILITY APPLICATION**: See Application File.

**WORK GROUP**: A group of approximately 4 to 9 Art Units headed by a Group Director.